UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,550	01/19/2001	Donald Bruce Hubbard	285277-00016	9920

7590   05/07/2003

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EXAMINER
VIG, NARESH

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/766,550	Applicant(s) HUBBARD ET AL.
	Examiner Naresh Vig	Art Unit 3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 January 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-48</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-48</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hertz Corporation hereinafter known as Hertz in view of Motorola Corporation's online

access to information to Motorola business partners hereinafter known as Motorola in

further view of Aquila et al US Publication US 2002/0035488 hereinafter known as

Aquila.

Regarding claim 1, applicant acknowledges that it is known to employ an

electronic rental management system using private frame relay connections for

communication. Such a system was employed to permit a vehicle rental service

provider to provide an insurance claims center of an insurance company with a direct

electronic connection to the vehicle rental service provider's branch locations. Such a

system employed data entry, which was usually accomplished by the vehicle rental

service provider's employee based within the insurance claims center [page2, lines 7 –

13]. Also, it is known at the time of invention to a person with ordinary skill in the art that

businesses are known to use Electronic Data Interchange (EDI) to exchange data with business partners e.g. IBM's WebSphere, Message Queue Manager (MQM), APPC etc. to expedite transactions and minimize paper consumption. Hertz discloses system and method for managing rentals over a data communicaton network. Hertz allows customers to check rates and rent vehicles over the communication network.

It is obvious that Hertz system has network server with a file system which can be used by plurality of end users for accessing the information from server and file system [pages 19 – 22].

Hertz does not disclose allowing business partners to access Hertz system to get information with transactions they are involved in. Motorola discloses system and method which allows Motorola Business Partners with authorized access to view the transaction they are involved in. Therefore, it is known at the time of invention to a person with ordinary skill in the art to automate manual business processes to save on personnel cost, create a paperless business environment etc.

Hertz does not disclose a server system including a database having rental claim information for each of said rentals. However, Hertz discloses storing the data related to the vehicle rental agreements on a file system [page 22], and, allowing customers to modify or change their reservations. It is a business choice to decide what information they want to store in the file system like a database to meet their business requirement.

Hertz discloses providing access to plurality of client systems [Fig. 1]

Hertz discloses employing a global communication network to interconnect server system client systems.

Hertz discloses displaying at least some of said rental information for one of said rentals at one of said client systems. Hertz does not disclose displaying claim information. However, Motorola discloses to provide business partner related information to the business partner. Therefore, it would have been obvious to a person with ordinary skill in the art to provide claim information to the insurance service provider business partner to save on personnel cost, create a paperless business environment etc.

Hertz discloses to allows users to modifying change or cancel reservations. It is obvious that Hertz allows users to modify information stored in the system.

Hertz does not discloses managing claim processing and reviewing claim information. Aquila discloses system and method which relates to insurance claim processing systems in general, and more particularly to administering, tracking and managing insurance claim processing systems [0003]. Aquila discloses to review rental claim information [Fig. 4]. Therefore, it would have been obvious to a person with ordinary skill in the art to review claim information to minimize fraud.

Regarding claim 2, 6 – 7, Hertz discloses to allow customers to provide input (modify information) [page 22]. Also, Hertz discloses to allow users to cancel reservations (pending reservations) [page 22]. Hertz does not disclose displaying at client systems a scoreboard including a count of unconfirmed rental reservations. Applicant acknowledges that Figure 1 shows a display 2 of the prior electronic rental

management system including a scoreboard 4 for pending reservations, working

rentals, closed rentals, incoming messages, and invoices. Neither Hertz nor prior art

disclose to display count of unconfirmed rental reservations. However, It is a business

choice to determine what information they want to display on the scoreboard. Therefore,

it would have been obvious to a person with ordinary skill in the art to display the

information like pending transactions to help determine the workload.

Regarding claims 3 – 4, applicant acknowledges to display list of working rentals

as prior art [Fig. 5]. Applicant acknowledges that open rentals are rentals where the

renter is actually in the vehicle (i.e. vehicle is still under the rental agreement). It is

known at the time of invention to a person with ordinary skill in the art the business keep

track of open contracts to determine the scheduling. For example, when a customer

calls for reserving a vehicle like a truck, the renting company informs the customer

whether the vehicle is available for renting during the period the customer desires

(renting company has knowledge of what vehicles still under open contract and their

expected close date). Therefore, if the business desired to keep track of open contracts,

then it would have been obvious to a person with ordinary skill in the art to maintain a

list of open rentals for allocation of resources.

Hertz does not disclose extending expected duration. However, it is known at the

time of invention to a person with ordinary skill in the art that Rental Car Companies like

Hertz have capability of extending the rental duration (it is known at the time of invention

to a person with ordinary skill in the art that customers often return the car earlier or extend it for few extra days, and, the rental companies are able to handle the situation). Therefore, it is known at the time of invention to a person with ordinary skill in the art to handle extension of rental duration to cater to customer needs.

Regarding claim 5, applicant acknowledges "Figure 6 shows a display 38 of the prior electronic rental management system including an "incoming messages" screen. Each message, such as 40, could be acknowledged or printed by the rental coordinator through buttons 42 or 44, respectively".

Regarding claim 8 – 9, Hertz discloses to allow customers to make reservations online [pages 17 – 21]. After the user has confirmed the information and submit request to reserve a vehicle, Hertz discloses to send confirmation (vehicle in unconfirmed state until the confirmation is received) [pages 51 – 52]. Examiner acknowledges that the print date of these pages in 24 September 2003, it was not possible for the examiner to go back in time to create a reservation on Hertz prior to the applicants priority date.

Hertz does not disclose to generate reports and what are the contents of the reports. Aquila disclose to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026].

Therefore, it is known at the time of invention to a person with ordinary skill in the art to provide reports to help the management understand business health and make business decisions.

Regarding claim 10 – 11, Hertz discloses to determine pending reservations. Hertz does not disclose to generate reports and what are the contents of the reports. Aquila disclose to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Therefore, it is known at the time of invention to a person with ordinary skill in the art to provide reports to help the management understand business health and make business decisions.

Regarding claims 12 – 13, Hertz does not disclose to determine open rentals. However, it is obvious that Hertz system can determine open rentals to determine when the vehicles will be returned, who are authorized to drive the vehicle etc.

Hertz does not disclose to generate reports and what are the contents of the reports. Aquila disclose to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Therefore, it is known at the time of invention to a person with ordinary skill in the art to

provide reports to help the management understand business health and make

business decisions.

Regarding claim 14, Hertz discloses maintaining a file system, allowing

customers to select rental variables, entering value (e.g. rate, special offers, insurance

charges etc.) based on customer selections [page 28].

Hertz does not disclose to generate reports and what are the contents of the

reports. Aquila disclose to provide canned or special reports [0063 – 0064]. The

reporting sub-system summarizes and formats data stored eclaim file or the insurance

carrier system based on a number of criteria to generate various reports [0026].

Therefore, it is known at the time of invention to a person with ordinary skill in the art to

provide reports to help the management understand business health and make

business decisions.

Regarding claim 15 – 19, Hertz does not disclose to generate reports and what

are the contents of the reports, and what variables to use for generating reports. Aquila

disclose to provide canned or special reports [0063 – 0064]. The reporting sub-system

summarizes and formats data stored eclaim file or the insurance carrier system based

on a number of criteria to generate various reports [0026]. It is obvious that reports are

generated to help business make a decision. It is a business choice to select what

variables to use and what formula to apply to generate desired report. Therefore, it is

known at the time of invention to a person with ordinary skill in the art to provide reports

to help the management understand business health and make business decisions.

Regarding claim 20, Hertz does not disclose plurality of billed rentals. However, it

is obvious that Hertz can access plurality of billed rentals to determine revenue earned

over time.

Hertz does not disclose to generate reports and what are the contents of the

reports, and what variables to use for generating reports. Aquila disclose to provide

canned or special reports [0063 – 0064]. The reporting sub-system summarizes and

formats data stored eclaim file or the insurance carrier system based on a number of

criteria to generate various reports [0026]. It is obvious that reports are generated to

help business make a decision. It is a business choice to select what variables to use

and what formula to apply to generate desired report. Therefore, it is known at the time

of invention to a person with ordinary skill in the art to provide reports to help the

management understand business health and make business decisions.

Regarding claims 21 – 26, Hertz does not disclose to generate reports and what

are the contents of the reports, and what variables to use for generating reports. Aquila

disclose to provide canned or special reports [0063 – 0064]. The reporting sub-system

summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. It is obvious that reports are generated to help business make a decision. It is a business choice to select what variables to use and what formula to apply to generate desired report. Therefore, it is known at the time of invention to a person with ordinary skill in the art to provide reports to help the management understand business health and make business decisions.

Neither Hertz nor Aquila disclose who the report is generated for. It is obvious that business generate plurality of report type to cater different functions of business.

Regarding claim 27, Neither Hertz nor Aquila disclose the query structure for extracting data to generate report. However, it is known at the time of invention to a person with ordinary skill in the art that businesses generate reports for the data extracted with the query designed to meet the report requirements. For example, Quicken allows users to generate accounting data within range of dates, or, Human Resources in a business generate Affirmative Action Reports within date range to meet contract requirements, extract data and generate report for employees who are eligible for review etc.

Regarding claim 28, Neither Hertz nor Aquila disclose the query structure for extracting data to generate report. However, it is known at the time of invention to a

person with ordinary skill in the art that businesses generate reports for the data

extracted with the query designed to meet the report requirements. For example,

Quicken allows users to generate accounting data within range of dates, or, Human

Resources in a business generate Affirmative Action Reports within date range to meet

contract requirements, extract data and generate report for employees who are eligible

for review etc.

Regarding claim 29, applicant acknowledges open rentals are rentals where the

renter is actually in the vehicle, and, closed rentals are rentals where the customer has

returned the vehicle. It is known at the time of invention to a person with ordinary skill in

the art that Hertz system employs open rentals and closed rentals. It is obvious that

open rentals do have in date.

Regarding claim 30, Hertz discloses maintaining file system for vehicle rentals.

Hertz does not disclose associating claims adjusters with vehicle rentals. However, it is

a business choice on a vehicle rental company like Hertz handle insurance claims. For

example, a vehicle rental company may elect to have all vehicles insured by one

Insurance Company, or, may elect to get the vehicles insured by plurality of Insurance

Companies to minimize risk factor and local jurisdiction requirements.

Hertz does not disclose to generate query to search database (file system).

However, it is known at the time of invention to a person with ordinary skill in the art that

businesses generate reports for the data extracted with the query designed to meet the

report requirements. For example, Quicken allows users to generate accounting data

within range of dates, or, Human Resources in a business generate Affirmative Action

Reports within date range to meet contract requirements, extract data and generate

report for employees who are eligible for review etc.

Regarding claims 31 – 32, Hertz does not disclose to generate query to search

database (file system). However, it is known at the time of invention to a person with

ordinary skill in the art that businesses generate reports for the data extracted with the

query designed to meet the report requirements. For example, Quicken allows users to

generate accounting data within range of dates, or, Human Resources in a business

generate Affirmative Action Reports within date range to meet contract requirements,

extract data and generate report for employees who are eligible for review etc.

Claims 33 – 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hertz Corporation hereinafter known as Hertz in view of Motorola Corporation's online

access to information to Motorola business partners hereinafter known as Motorola in

further view of Aquila et al US Publication US 2002/0035488 hereinafter known as

Aquila

Regarding claims 33 and 42 – 43, applicant acknowledges that it is known to

employ an electronic rental management system using private frame relay connections

for communication. Such a system was employed to permit a vehicle rental service

provider to provide an insurance claims center of an insurance company with a direct

electronic connection to the vehicle rental service provider's branch locations. Such a

system employed data entry, which was usually accomplished by the vehicle rental

service provider's employee based within the insurance claims center [page2, lines 7 –

13]. Also, it is known at the time of invention to a person with ordinary skill in the art that

businesses are known to use Electronic Data Interchange (EDI) to exchange data with

business partners e.g. IBM's WebSphere, Message Queue Manager (MQM), APPC etc.

to expedite transactions and minimize paper consumption. Hertz discloses system and

method for managing rentals over a data communicaton network. Hertz allows

customers to check rates and rent vehicles over the communication network.

It is obvious that Hertz system has network server with a file system which can

be used by plurality of end users for accessing the information from server and file

system [pages 19 – 22].

Hertz does not disclose allowing business partners to access Hertz system to get

information with transactions they are involved in. Motorola discloses system and

method which allows Motorola Business Partners with authorized access to view the

transaction they are involved in. Therefore, it is known at the time of invention to a

person with ordinary skill in the art to automate manual business processes to save on

personnel cost, create a paperless business environment etc.

Hertz does not disclose a server system including a database having rental claim

information for each of said rentals. However, Hertz discloses storing the data related to

the vehicle rental agreements on a file system [page 22], and, allowing customers to

modify or change their reservations. It is a business choice to decide what information

they want to store in the file system like a database to meet their business requirement.

Hertz discloses providing access to plurality of client systems [Fig. 1]

Hertz discloses employing a global communication network to interconnect

server system client systems.

Hertz discloses displaying at least some of said rental information for one of said

rentals at one of said client systems. Hertz does not disclose displaying claim

information. However, Motorola discloses to provide business partner related

information to the business partner. Therefore, it would have been obvious to a person

with ordinary skill in the art to provide claim information to the insurance service

provider business partner to save on personnel cost, create a paperless business

environment etc.

Hertz discloses to allows users to modifying change or cancel reservations. It is

obvious that Hertz allows users to modify information stored in the system.

Hertz does not discloses managing claim processing and reviewing claim

information. Aquila discloses system and method which relates to insurance claim

processing systems in general, and more particularly to administering, tracking and

managing insurance claim processing systems [0003]. Aquila discloses to review rental

claim information [Fig. 4]. Therefore, it would have been obvious to a person with

ordinary skill in the art to review claim information to minimize fraud.

Hertz does not disclose to generate query to search database (file system).

However, it is known at the time of invention to a person with ordinary skill in the art that

businesses generate reports for the data extracted with the query designed to meet the

report requirements. For example, Quicken allows users to generate accounting data

within range of dates, or, Human Resources in a business generate Affirmative Action

Reports within date range to meet contract requirements, extract data and generate

report for employees who are eligible for review etc.

Regarding claims 34 – 35, 37 – 41 and 44 – 48, Hertz does not disclose to

generate query to search database (file system). However, it is known at the time of

invention to a person with ordinary skill in the art that businesses generate reports for

the data extracted with the query designed to meet the report requirements. For

example, Quicken allows users to generate accounting data within range of dates, or,

Human Resources in a business generate Affirmative Action Reports within date range

to meet contract requirements, extract data and generate report for employees who are

eligible for review etc., management extracting job costing report, determining job cost

for each project in the job etc.

Regarding claim 36, it is business choice to decide what information they deem

necessary to maintain, how they decide to generate the table in a database (fields in a

table), and how they define relationships between tables.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

1. Vinati et al. US Publication US 2002/0046213
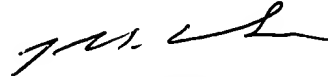
2. An article How XML Can Be Used

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Naresh Vig whose telephone number is 703.305.3372.

The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on 703.308.2702. The fax phone numbers for

the organization where this application or proceeding is assigned are 703.305.7687 for

regular communications and 703.305.7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is

703.305.3900.

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April 30, 2003

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600